

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF TEXAS  
3 DALLAS DIVISION

4 UNITED STATES OF AMERICA, ) **Case No. 3:17-mj-00171-BK**  
5 ) **(Merged into 3:17-cr-169-B-1)**  
6 Plaintiff, )  
7 v. ) Dallas, Texas  
8 SAID AZZAM MOHAMAD RAHIM, ) March 13, 2017  
9 Defendant. ) 2:00 p.m.  
10 ) PRELIMINARY HEARING  
11 ) DETENTION HEARING  
12 )  
13 )

14 TRANSCRIPT OF PROCEEDINGS  
15 BEFORE THE HONORABLE RENEE HARRIS TOLIVER,  
16 UNITED STATES MAGISTRATE JUDGE.

17 APPEARANCES:

18 For the Government: Errin Martin  
19 UNITED STATES ATTORNEY'S OFFICE  
20 1100 Commerce Street, Third Floor  
21 Dallas, TX 75242-1699  
22 (214) 659-8600

23 For the Defendant: James P. Whalen  
24 WHALEN LAW OFFICE  
25 9300 John Hickman Parkway,  
Suite 501  
Frisco, TX 75035  
(214) 368-2560

Court Recorder: Jane W. Amerson  
UNITED STATES DISTRICT COURT  
1100 Commerce Street, Room 1611  
Dallas, TX 75242-1003  
(214) 753-2360

Transcription Service: Kathy Rehling  
311 Paradise Cove  
Shady Shores, TX 76208  
(972) 786-3063

Proceedings recorded by electronic sound recording;  
transcript produced by transcription service.

1                   DALLAS, TEXAS - MARCH 13, 2017 - 2:37 P.M.

2                   THE COURT: The Court next calls Case No. 3:17-mj-  
3                   171-BK, United States of America versus Said Azzam Mohamad  
4                   Rahim.

5                   MS. MARTIN: Errin Martin for the Government, Your  
6                   Honor.

7                   THE COURT: Good afternoon.

8                   MR. WHALEN: James Whalen standing by, Your Honor.

9                   THE COURT: Sir.

10                  Good afternoon, sir.

11                  THE DEFENDANT: Good afternoon.

12                  THE COURT: And today you're not appearing with a  
13                  retained attorney. So is it my understanding you were unable  
14                  to retain an attorney?

15                  THE DEFENDANT: No. Things went through, wasn't  
16                  through as I planned, so I would like to --

17                  THE COURT: You would like a court-appointed  
18                  attorney?

19                  THE DEFENDANT: Yes, Your Honor. --

20                  THE COURT: Let me show you the --

21                  THE DEFENDANT: We've no --

22                  THE COURT: -- the financial affidavit I received in  
23                  your case. It appears you completed it and signed it at the  
24                  bottom. Is that your signature?

25                  THE DEFENDANT: Last week. Yes. Yes.

1           THE COURT: And do you swear or affirm that the  
2 information in the financial affidavit is true?

3           THE DEFENDANT: Yes, it's true.

4           THE COURT: Based on your financial affidavit, I do  
5 find that you qualify for the appointment of an attorney.

6           THE DEFENDANT: Thank you, Your Honor.

7           THE COURT: And I'm going to appoint Mr. Whalen to  
8 represent you.

9           THE DEFENDANT: Yes, Your Honor.

10          THE COURT: Now, I also believe that you might be  
11 able to contribute to the cost of providing you an attorney.  
12 That will be dependent on the issue of whether or not you are  
13 detained, because the Government has filed a motion to detain  
14 you. So I will consider that after I have determined whether  
15 or not you will be detained. Okay?

16          And so, Mr. Whalen, I know you're in a situation because  
17 you were just appointed. But, of course, we were scheduled  
18 for detention and preliminary hearings today. What's your  
19 position regarding having those hearings today?

20          MR. WHALEN: Your Honor, we would request, for good  
21 cause, that the hearings be continued to Wednesday.

22          THE COURT: Wednesday?

23          MR. WHALEN: And we'd be prepared for Wednesday, Your  
24 Honor.

25          THE COURT: Okay. Well, I believe that having an

1 attorney and having an attorney who's prepared to go to your  
2 hearing constitutes good cause, and so I am going to continue  
3 the hearings until Wednesday.

4 And you know the situation regarding Pretrial.

5 MR. WHALEN: I do, Your Honor. Yes.

6 THE COURT: Okay.

7 MR. WHALEN: And Your Honor, I did speak to Pretrial  
8 and we're going to be able to address that probably Wednesday  
9 morning --

10 THE COURT: Okay.

11 MR. WHALEN: -- when they bring him back over.

12 THE COURT: Okay.

13 MR. WHALEN: And also, for the record, I did speak to  
14 Mr. Rahim. He understands the continuance and is in agreement  
15 with continuing the hearing until Wednesday.

16 THE COURT: Okay. Well, Mr. Rahim, we are going to  
17 continue the detention and preliminary hearings in your case,  
18 then, until this Wednesday, March 15th. And you're going to  
19 remain in custody again, sir, until -- at least until that  
20 time. Okay.

21 MR. WHALEN: 2:00 o'clock, Your Honor?

22 THE COURT: 2:00 o'clock.

23 MR. WHALEN: Okay. Thank you, Your Honor.

24 THE COURT: Okay. The attorneys are excused. And  
25 you are remanded back to the custody of the U.S. Marshals,

1 sir.

2 (Proceedings concluded at 2:40 p.m.)

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CERTIFICATE

20 I certify that the foregoing is a correct transcript from  
21 the digital sound recording of the proceedings in the above-  
22 entitled matter.

23 **/s/ Kathy Rehling**

**01/16/2020**

24 \_\_\_\_\_  
25 Kathy Rehling, CETD-444  
Certified Electronic Court Transcriber

Date

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